

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AUTOMOTIVE PROFIT BUILDERS, INC.,

Plaintiff,

vs.

AUTOMOTIVE PROFIT BUILDERS, INC.,
and PHILLIP P. WILLIAMS, d/b/a
AUTOMOTIVE PROFIT BUILDERS and/or APB

Defendants.

Civil Action No.:

04 - 10790 GAO

**THE PLAINTIFF'S MOTION FOR A
PRELIMINARY INJUNCTION**

Pursuant to Mass. R. Civ. P. Rule 65(b), the plaintiff, Automotive Profit Builders, Inc. ("APB-MA") hereby requests that the Court issue a preliminary injunction enjoining the defendants, Automotive Profit Builders, Inc. and Phillip P. Williams, d/b/a Automotive Profit Builders and/or APB (hereinafter referred to collectively as "the Defendants") from advertising, marketing, distributing or providing services which use the trade names Automotive Profit Builders, Inc., Automotive Profit Builders and/or APB.

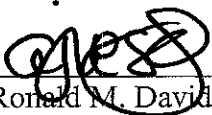
As grounds for its request, the plaintiff states that APB-MA has federally registered the trade name "Automotive Profit Builders, Inc.". As a result of the Defendants' use of this name and other names associated with Automotive Profit Builders, consumers and retailers are likely to confuse and will continue to confuse products and services offered by the Defendants with products and services offered by APB-MA. APB-MA will suffer immediate and irreparable

harm if such an Order is not issued. In support of its motion, APB-MA relies on its Memorandum of Law submitted herewith as well as the Affidavit of Richard F. Libin attached to the Memorandum.

AUTOMOTIVE PROFIT BUILDERS, INC.,

By Its Attorneys,

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Dated: 4.20.04